

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

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SHIFTPIXY, INC.,

Plaintiff,

-against-

22 **CIVIL** 5686 (PAE)  
21 **CIVIL** 7135 (PAE)

**JUDGMENT**

GREGORY BERGMAN ET AL.,

Defendants.

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It is hereby **ORDERED, ADJUDGED AND DECREED:** That for the reasons stated in the Court's Order dated July 31, 2023, judgment is entered against defendants in the sum of \$85,000, which represents the outstanding settlement amount and the contracted-for \$25,000 penalty. The Court does not, however, award attorney's fees or prejudgment interest. The settlement agreement provides that the "prevailing party in any dispute related to this Settlement Agreement shall be entitled to its reasonable attorney's fees and its costs." Dkt. 36-1 at 6. Yet Shiftpixy does not provide a basis for the Court to conclude that its request for \$5,200 in attorney's fees is reasonable or find appropriate an award of prejudgment interest. Should Shiftpixy wish to substantiate its request, it shall file, no later than August 7, 2023, a letter in further support of its petition for attorney's fees and prejudgment interest. The case remains closed.

**Dated:** New York, New York

July 31, 2023

**RUBY J. KRAJICK**

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**Clerk of Court**

**BY:**

*K. mango*

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**Deputy Clerk**